

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

GREAT AMERICAN INSURANCE  
COMPANY,

Plaintiff,

v.

CARDINAL LOGISTICS MANAGEMENT  
CORPORATION, et al.,

Defendants.

Case No. 1: 21-cv-01556-AWI-SAB

ORDER DIRECTING THE CLERK OF THE  
COURT TO TERMINATE HIGHWAY  
EXPRESS LINES, INC. AS A DEFENDANT  
IN THIS ACTION

(ECF No. 15)

On January 27, 2022, the Plaintiff filed notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a) of Defendant Highway Express Lines, Inc. (ECF No. 15.) The claims against the other named Defendants are not subject to the dismissal and will remain active. (*Id.*)

Rule 41(a) of the Federal Rules of Civil Procedure allows a party to dismiss some or all of the defendants in an action through a Rule 41(a) notice. *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997); *see also Concha v. London*, 62 F.3d 1493, 1506 (9th Cir. 1995) (“The plaintiff may dismiss either some or all of the defendants—or some or all of his claims—through a Rule 41(a)(1) notice.”); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 687 (9th Cir. 2005) (The Ninth Circuit has “only extended the rule to allow the dismissal of all claims against one defendant, so that a defendant may be dismissed from the entire action.”). “Filing a notice of voluntary dismissal with the court automatically terminates the action as to the

1 defendants who are the subjects of the notice.” Concha, 62 F.3d at 1506.

2 Accordingly, the Clerk of the Court is DIRECTED to terminate Defendant Highway  
3 Express Lines, Inc., as a defendant in this action.

4  
5 IT IS SO ORDERED.

6 Dated: **January 28, 2022**

  
UNITED STATES MAGISTRATE JUDGE